

In the City Council
City of Lodi
Lodi, California

ORDINANCE NO. 427

AN ORDINANCE RELATING TO DISASTERS

WHEREAS, Experience during war and peace has demonstrated the need for adequate disaster plans and for mobilization of the resources of the community to cope with such disasters; and

WHEREAS, The State of California has created a State Disaster Council to prepare a state disaster plan and to recommend mutual aid regions; and

WHEREAS, Municipalities have legal authority (Constitution, Article XI, Section 11, and Military and Veterans Code, Section 1571, as amended by Statutes of 1945, Chapter 1024) to create disaster councils for the purpose of formulating local disaster plans, including mutual aid agreements;

NOW, THEREFORE, The City Council of the City of Lodi does ordain as follows:

Section 1, DISASTER. As used in this ordinance, the term "disaster" shall include, but is not limited to, any extraordinary fire, flood, riot, storm, epidemic or earthquake, or any enemy attack or sabotage, which causes or threatens to cause loss of life or property and in which occurrences the responsibility devolves upon the regular constituted authorities for the maintenance of public peace and order and the preservation of life and property, It shall not include any conditions resulting from a labor controversy,

Section 2. DISASTER COUNCIL. MEMBERSHIP. The Lodi Disaster Council is hereby created and shall consist of the following:

A. The Mayor, who shall be chairman.

B. The Commander, who shall be vice-chairman.

C. The Vice-commander, appointed by the Mayor with the advice and consent of the City Council, who, in the absence of, or at the direction of, the Commander, shall act on his behalf on matters within the purview of this ordinance.

D. The Chiefs of Divisions as hereinafter provided.

E. Such other representatives of civic, business, labor, veterans, professional or other organizations as may be appointed by the Mayor with the advice and consent of the City Council.

Section 3. DISASTER COUNCIL. POWERS AND DUTIES. It shall be the duty of the Lodi Disaster Council, and it is hereby empowered:

A. To develop a plan for meeting any disaster,, Such plan shall provide for the effective mobilization of all the resources of the community, both public and private;

B. To prepare and recommend for consideration by the City Council ordinances necessary to implement the disaster plan;

C. To consider and recommend to the City Council for approval mutual aid plans and agreements.

The Disaster Council shall meet upon call of the chairman.

Section 4. COMMANDER. POWERS AND DUTIES. There is hereby created the office of Commander. Such officer shall be appointed by the Mayor with the advice and consent of the City Council.

The Commander is hereby empowered:

A. To proclaim the existence or threatened existence of a disaster and the termination thereof;

B. To request the Governor to proclaim a state of extreme emergency in the area in and around the City of Lodi when in the opinion of the Commander the resources of the community are inadequate to cope with the disaster;

C. To govern and direct the effort of the Lodi Disaster Corps in the accomplishment of the purposes of this ordinance;

D. To direct coordination and cooperation between the Chiefs of Divisions and resolve questions of authority and responsibility that may arise between them;

E. To represent the Disaster Corps in all dealings with public or private agencies pertaining to disaster preparedness.

It shall also be the duty of the Commander, and he is hereby empowered, during a disaster or when a disaster is imminent:

A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster;

B. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the City for the fair value thereof, and, if required immediately, to commandeer the same for public use;

C. To require emergency services of any City officer or employee;

D. To requisition necessary personnel or material of any City department or agency;

E, To execute all of his ordinary powers as City Manager, all of the special powers conferred upon him by this ordinance, and all powers conferred upon him by any other lawful authority.

Section 5. EXECUTIVE OFFICER. There is hereby created the position of Executive Officer of the Disaster Corps. The Executive Officer shall be appointed by the Mayor with the advice and consent of the City Council. The Executive Officer shall be the executive secretary of the Disaster Council and shall be Chief of the Division of Personnel and Recruitment.

Section 6. DISASTER CORPS, GENERAL. Officers and employees of the City of Lodi, together with those volunteer forces enrolled to aid them during a disaster, and all groups, organizations and persons who may by agreement or operation of law be charged with duties incident to the protection of life and property in the City of Lodi during such disaster, shall constitute the Lodi Disaster Corps.

Section 7. DIVISIONS OF DISASTER CORPS. The functions and duties of the Lodi Disaster Corps shall be distributed among the following divisions of such corps, each division to be under the direction of a chief and, in his absence, the first deputy and second deputy chief, respectively, appointed by the chief, and said division to consist of the following forces, organizations and services, and such other forces, organizations or services as may be included pursuant to the provisions of this ordinance. The Chiefs of Divisions shall organize and train volunteers assigned to such division by the personnel and Recruitment Division and shall formulate the division plan which, when approved by the Disaster Council, shall become a part of the disaster plan. The Chiefs of Divisions shall include in the division plans recommended mutual aid agreements. The Chiefs of Divisions shall be custodians of special equipment and other property which may be obtained from any source and assigned to such division by the Commander,.

A. LAW AND ORDER DIVISION. This division shall be under and subject to the control of the Chief of Police, who shall be Chief of the Law and Order Division. The Division shall consist of police personnel and auxiliary police (volunteers).

B. FIRE DIVISION. This division shall be under and subject to the control of the Chief of the Fire Department, who shall be Chief of the Fire Division. The Division shall consist of Fire Department personnel and auxiliary fire fighters (volunteers).

C. MEDICAL DIVISION. This division shall be under and subject to the control of the District Health Officer, who shall be Chief of the Medical Division. The Division shall consist of Health Department personnel and medical service volunteers.

D. PUBLIC WORKS DIVISION. This division shall be under and subject to the control of the City Engineer, who shall be Chief of the Public Works Division. The Division shall consist of public works personnel and auxiliary personnel [volunteers?],

E. UTILITIES DIVISION. This division shall be under and subject to the control of the Public Utilities Department, and the head of such department shall be Chief of the Utilities Division. The Division shall consist of Utilities Department personnel and auxiliary personnel (volunteers).

F. TRANSPORTATION DIVISION. The Chief of this division shall be a public official having transportation facilities or a citizen, experienced and engaged in such industry, appointed by the Mayor with the advice and consent of the City Council. The Division shall consist of auxiliary personnel (volunteers).

G. COMMUNICATIONS DIVISION. The Chief of this division shall be a public official (police or fire) having communications facilities or a citizen, experienced and engaged in such industry, appointed by the Mayor with the advice and consent of the City Council. The Division shall consist of auxiliary personnel (volunteers) and City personnel engaged in communications work.

H. PERSONNEL AND RECRUITMENT DIVISION. This division shall be under and subject to the control of the Executive Officer. It shall be the duty of this division to recruit all volunteer personnel, to enroll and register such personnel, to keep adequate records thereof, and to assign such personnel to other divisions of the Disaster Corps. The Executive Officer may establish and operate a volunteer office.

I. AMERICAN RED CROSS. The American Red Cross in the City of Lodi will furnish food, clothing, shelter, registration and information service, supplementary medical service when requested, and rehabilitation to individuals and families affected by a disaster. The American Red Cross will provide funds with which to finance all its relief operations; The Chief of this division will be the Chairman of the City of Lodi Chapter of the American Red Cross, or a delegated representative thereof.

Section 8. VOLUNTEERS. All persons, other than officers and employees of the City, volunteering services pursuant to the provisions of this ordinance, shall serve without compensation from the City. While engaged in such services, they shall have the same immunities as officers and employees of the City performing similar duties*

Section 9. PUNISHMENT OF VIOLATIONS. It shall be a misdemeanor, punishable by a fine of not to exceed \$500.00, or by imprisonment for not to exceed six months, or both, for any person during a disaster:

A. Wilfully to obstruct, hinder or delay any member of the Disaster Corps in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this ordinance;

B. To do any act forbidden by any lawful rules or regulations issued pursuant to this ordinance, if such act is of such a nature as to give, or he likely to give assistance to the enemy, or to imperil the lives or property of other inhabitants of this city, or to prevent, hinder or delay the defense or protection thereof;

C. To wear, carry or display,, without authority, any means of identification specified by the Disaster Council,

Section 10. EFFECTIVE DATE. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately. The fallowing is a statement of the facts showing its urgency:

A complete and adequate disaster plan must be formulated at once by the Disaster Council. The plan will be based upon plans formulated by the Chiefs of Divisions and upon mutual aid agreements. To protect the lives and property of the citizens of the city of Lodi, responsibility far the formulation of such plans and agreements should be' fixed immediately.

Approved this 19th day of July, 1950.

Mayor of the City of Lodi

Attest:

City Clerk